

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

KELLY CAHILL, et al.,  
individually and on behalf  
of others similarly situated,  
Plaintiffs,

v. No. 3:18-cv-01477-JR  
NIKE INC., an Oregon  
corporation,  
Defendant.

DEPOSITION OF JULIAN MILLER  
PURSUANT TO FRCP 30(B)(6)  
THURSDAY, JUNE 3, 2021

Reported by: Marilyn Hoover, RPR  
Oregon CSR No. 04-0387

1 ask you about is that in -- right underneath kind of  
2 the big heading on the first page, in the middle  
3 there's a field that says "latest submission  
4 medium," and it says "matched to job."

5 Do you see that?

6 A. I do.

7 Q. Okay. What is -- What does that field  
8 represent and what does the entry, "matched to job,"  
9 mean?

10 A. This submission medium just means how did  
11 the candidate apply. In this case, a recruiter  
12 matched them to this job, and there are -- so there  
13 are guidelines around how recruiters can match --  
14 match applications to other open -- job openings.

15 Q. Okay. And when you say this is a  
16 situation where a recruiter matched a candidate to a  
17 job, does that mean that this candidate, Ms. Cheng,  
18 didn't actually apply to this specific requisition  
19 initially?

20 A. Yeah, it means that they were matched from  
21 a job that was almost an identical match to this.  
22 Right?

23 So the example is like, when we're hiring  
24 for multiple openings for the same role at one time,  
25 rather than posting three jobs, a recruiter can post

1 one of those jobs and communicate to candidates that  
2 there are three openings that they're considering  
3 candidates for. Right? And then they'll match  
4 candidates kind of behind the scenes. So it's a --  
5 it's a technical way to be efficient when you're  
6 hiring for multiple openings.

7 Q. Okay. And can a recruiter -- can  
8 recruiters match candidates to jobs even when the  
9 position isn't identical?

10 A. You're asking from a system standpoint,  
11 would the system allow a recruiter to perform that  
12 action?

13 Q. Correct.

14 A. Yes.

15 Q. Okay. Are there any system limitations on  
16 what other jobs a recruiter can match a candidate  
17 to, beyond the ones that they expressly applied for?

18 A. A recruiter can match as they see fit.  
19 There are guidelines in terms of how we communicate  
20 to them to do that appropriately, but it's up to the  
21 recruiter's discretion to follow those guidelines  
22 and do so within those guidelines.

23 Q. We'll get to the guidelines in a second,  
24 but I think what I'm hearing is that there's nothing  
25 inherent in the system that would prevent a

1 recruiter from matching a candidate to a different  
2 requisition based on, you know, preset limits or  
3 parameters.

4 Is that right?

5 A. That's correct.

6 Q. Okay. Now, when it comes to the  
7 guidelines that Nike provides recruiters about when  
8 they should match a candidate to a different open  
9 job, what are those guidelines?

10 A. The guidelines are very specific. It has  
11 to be a job that meets the same band level. Right?  
12 It's the same seniority, the same job code. We're  
13 recruiting within those roles within a similar time  
14 frame, so it's still a valid application. And the  
15 screening criteria, as we mentioned, those  
16 pre-screening questions are the same amongst those  
17 requisitions. Those are -- Those are the guidelines  
18 that we educate them on. Right? So we can show in  
19 the system that -- that those roles use the same  
20 criteria, that recruiters screen candidates based on  
21 the same criteria based on -- across multiple  
22 requisitions.

23 Q. Okay. Are there any other guidelines that  
24 Nike provides?

25 A. No, not to my knowledge.

1 STATE OF OREGON )  
 ) SS.

2 COUNTY OF MULTNOMAH )

3 I, MARILYNN HOOVER, CSR No. 04-0387 for the  
4 State of Oregon, do hereby certify:

5 That prior to being examined, the witness named  
6 in the foregoing deposition was duly sworn to  
7 testify the truth, the whole truth, and nothing but  
8 the truth;

9 That said deposition was taken down by me in  
10 shorthand at the time and place therein named, and  
11 thereafter reduced by me to typewritten form; and  
12 that the same is a true, correct, and complete  
13 transcript of the said proceedings.

14 Before completion of the deposition, review of  
15 the transcript [ ] was [X] was not requested. If  
16 requested, any changes made by the deponent (and  
17 provided to the reporter) during the period allowed  
18 shall be appended hereto.

19 I further certify that I am not interested in  
20 the outcome of the action.

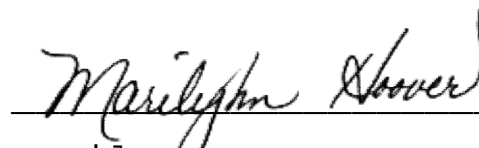
21 Witness my hand this 7th day of June 2021

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23

24

25



Marilynn Hoover, RPR

CSR No. 04-0387; Exp. 03/31/2023



***Cahill, et al v. Nike*****Julian Miller Deposition Errata**

<b>Page: Line</b>	<b>Reads</b>	<b>Should Read</b>	<b>Reason</b>
42:10	"Correct. Everything done through Taleo is through an open requisition, so it needs to be an open job that is being hired against. It is not a sourcing tool for identifying talent that would be interested in working at Nike."	"Correct, Nike does not use Taleo to proactively identify potential candidates. Everything done through Taleo is through an open requisition, so it needs to be an open job that is being hired against. It is not a sourcing tool for identifying talent that would be interested in working at Nike."	To clarify an answer, consistent with other testimony
89:5	"the recruiter's discrepancy."	"the recruiter's discretion."	To correct an incorrect word choice
111:5	"recruiter, right, based on their discrepancy."	"recruiter, right, based on their discretion."	To correct an incorrect word choice
112:22	"I'm not."	"I don't."	To correct a transcription error
113:17-18	"No, not beyond those two data points that you mentioned."	"No, not beyond those two data points that you mentioned, but recruiters are instructed to only match applicants to identical job openings being recruited for at the same time."	To clarify an answer, consistent with other testimony
115:9	"we've done – esthetic updates,"	"we've done – aesthetic updates,"	To correct a transcription error
121:2-3	"Yes, Taleo records offer information."	"Taleo records offer information."	To clarify an answer to a confusing and compound question
131:12-15	"Those would be the questions itself. So O and P are the number of questions that are asked as part of the application, and R would be the questions themselves, to my understanding."	"'Qualifications' as reflected in Column R is a subset of the job description information."	To clarify an answer, consistent testimony later corrected at 168:8-24
135:13-14	"Ah, yeah, I've seen recruiters use them interchangeably."	"Beaverton and Portland often are used interchangeably, but there are retail stores in Portland that are not WHQ positions. There is also an employee store in	To clarify an answer

		Beaverton and Air MI also is in Beaverton.”	
158:13	“It doesn’t – It would appear that way.”	“It doesn’t – but I understand how it could appear that way.”	To clarify an answer, consistent with other testimony
162:15	“I will research and get back to you.”	“The ‘system’ designation that appears on Ms. Linebaugh’s 2011 record occurred in an older version of the Taleo software used by Nike in 2011. In that version of Taleo, any system action that included a change to more than 10 candidate records at one time was considered a batch action. This included matching more than 10 candidates to a requisition. To complete a batch action, the scheduler service in the Taleo software ran a batch task. This operation was tracked as being performed by the ‘System,’ rather than by the user who actually performed the request, due to the nature of this scheduler service. In this instance, we believe that the Recruiter manually matched a number of candidates to requisition number 052046, including but not limited to Ms. Linebaugh. Because the action included more than 10 candidate files, it was run through the Taleo scheduler service and therefore was logged as being performed by the ‘System’ rather than by the user who actually made the request. The decision regarding which candidates to match to the requisition and executing the steps in the system to match candidates to requisition 052046 were all performed manually by the Recruiter. The	To respond fully to the question after additional research

		Taleo system did not make any automated decisions.”	
163:21	“No, not to my knowledge.”	“I am not aware of any written policies, but after the deposition, I reviewed Taleo and confirmed that Nike has not used any of the automated systems discussed during the deposition.”	To clarify an answer more fully after additional research

I attest that the above-referenced changes are true and correct.

Date: 7/27/2021

DocuSigned by:  
  
DEAE0A4DEED24F2... Julian Miller